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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,370	04/22/2004	Houman Pournasseh	5486-0210PUS1	7092
67321 7590 01/22/2008 BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 GATEHOUSE ROAD SUITE 100 EAST FALLS CHURCH, VA 22040-0747			EXAMINER KHATRI, ANIL	
			ART UNIT 2191	PAPER NUMBER
			MAIL DATE 01/22/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/829,370

Applicant(s)

POURNASSEH ET AL.

Examiner

Anil Khatri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/2/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-12 and 14-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-12 and 14-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

***Response to Amendment***

1. This action is in response to the request for reconsideration filed on 11/2/2007.
2. As per applicant's request claims 1, 7, 12, 18 and 23 and speciation have been are amended.
3. As per applicant request claims 2 and 13 have been canceled.
4. Examiner has withdrawn 35 USC 101 rejection of claims 1, 3-12 and 14-23 upon clarification and amendment filled by the applicant.
5. Claims 1, 3-12 and 14-23 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Buzbee* USPN 5,909,578.

***In remarks applicant argues,***

I. Process for modifying information from a source language to a target language comprising the steps of comparing and intercepting data against data in core translation table to determine if match exists between the data being intercepted and the data in the core translation table for the source language and modifying information or graphic data interchange for normal processing and displaying the information.

***In response to applicant arguments,***

I. It was noted that cited reference fairly suggest processing for modifying information from a source language to a target language comprising the steps of comparing and intercepting data against data in core translation table to determine if match exists between the data being

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intercepted and the data in the core translation table for the source language and modifying information or graphic data interchange for normal processing and displaying the information (figures 3-4, columns 4-5, lines 50-67 and lines 1-12, AMT 218 is a table containing a mapping between addresses in the native application and corresponding blocks of translated code in the translated application. If a block has been translated, then AMT 218 will contain a pointer to a location within block information table 220. Block information table 220, in turn, contains a pointer the translated code block within translated code cache 208. At this point in the execution, however, the table lookup in AMT 218 will fail since the application has not yet been translated. This failure is shown by the "no" branch from box 214 to box 216.

Accordingly, DTS 200 moves to box 216. At box 216, DTS 200 retrieves a block of code from the native application beginning at the instruction identified by the PC. A preferred embodiment of the present invention retrieves a basic block of application code. However, any granularity of block size can be used. In general, the block size should be selected such that it can be efficiently translated by DTS 200. In box 216, DTS 200 translates the native code block into a new block of code that performs the same function as the native block. In addition, DTS 200 instruments the new code block with profiling instructions. By using this type of dynamic instrumentation, a wide variety of profile information can be gathered. For example, different instrumentation code can be included to perform: opcode counting, branch prediction modeling, trace selection, and cache modeling. Further, the type of information gathered can be changed dynamically based upon previously gathered information. For example, the profiler could start off with simple profiling to see what code is being executed most frequently. Then, the translations could be discarded and new translations build which gather more detailed

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information and column 5, lines 28-34, next, the translated code block 222 is stored in translated code cache 208. Note that boxes 228 and 230 are discussed below with respect to FIG. 3. Then, DTS 200 executes code block 222. Since code block 222 is the first translated block, neither of its terminating branch targets have been translated. Therefore, DTS 200 goes back to box 212 when it reaches the terminating branch of code block 222. . Therefore, examiner interprets that data has been intercepted and translated during profiling and also been compared in block information table 220, in turn, contains a pointer the translated code block within translated code cache 208 as claim is reciting translation table which is storage place to swap and compare and modify code.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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**ANIL KHATRI**  
**PRIMARY EXAMINER**